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ATTORNEY'S DOCKET: 069204.0108

PATENT APPLICATION

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TRANSMITTAL FOR U.S. PATENT APPLICATION
UNDER 37 CFR §1.53(b)

Box Patent Application
ASSISTANT COMMISSIONER
OF PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the original patent application of:

Inventor: Herve A. Fevrier et al.

For: METHOD AND APPARATUS FOR OPTICAL ELEMENT
MANAGEMENT

Enclosed are:

- ☒ Specification (45 Total Pages)
 - ☒ Drawings: (4 Sheets of Formal Drawings)
 - ☒ Original Combined Declaration and Power of Attorney (4 Total Pages)
 - ☒ An Assignment of the invention to Xtera Communications, Inc. is attached. A separate cover sheet in compliance with 37 C.F.R. § 3.28 and § 3.31 is included with an Assignment recordal fee of \$40.00 pursuant to 37 C.F.R. § 1.21(h).
 - ☒ Nonpublication Request Form (1 Total Page)
 - ☒ Verified Statement Claiming Small Entity Status (1 Total Page)
 - ☒ Certificate of Mailing
 - ☒ Return Receipt Postcard
- Applicant is:
- ☒ Small Entity
 - ☐ Other

The accompanying application is:

☒ Original

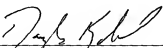
12/06/01
J1129 U.S. PTO

10/09/01
J0715 U.S. PTO

FEE CALCULATION					FEE
	Number		Number Extra	Rate	Basic Fee
Total Claims	64	20	44	X \$ 9 =	396.00
Independent Claims	7	3	4	X \$42 =	168.00
TOTAL FILING FEE =					\$934.00

Enclosed is a check in the amount of \$934.00 for filing fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P. **This Fee Transmittal is transmitted in duplicate.**

BAKER BOTTS L.L.P.
Attorneys for Applicants



Douglas M. Kuehl
Registration No 41,915

Date: December 6, 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Herve A. Fevrier, et al.
Filing Date: December 6, 2001
Title: METHOD AND APPARATUS FOR OPTICAL ELEMENT
MANAGEMENT

Box Patent Application
Honorarble Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Patent Application, Fee Transmittal, Nonpublication Request Form, Declaration & Power of Attorney, Assignment and Assignment Cover Sheet, Verified Statement, Formal Drawings, two checks in the amounts of \$934.00 and \$40.00, and this Certificate of Mailing are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on this 6th day of December, 2001, addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Willie Jiles

Willie Jiles


Express Mail Receipt
No. EL 759112712 US

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Herve A. Fevrier et al.
	Title	Method and Apparatus for Optical Element Management
	Atty Docket Number	069204.0108

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 6, 2001
 Date


 Signature
Douglas M. Kubehl
 Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 8 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.